P.R. No. 3459/06
Presented by Shri V. Gurvadhan
dated 10/12/06

(4) (2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. NO. (S) 3394 /2006 SINGLE BEN

PETITIONER : Raghuraj Singh S/o. Banjir Singh, Aged about 43 years, R/o. Rajapara, Purana Power House, Raigarh, District Raigarh (CG)

VERSUS

RESPONDENTS :

1] State of Chhattisgarh, Through: Secretary, Co-operative Department (lgdkfjrk foHkkx), D.K.S. Bhawan, Raipur (CG)

2] Registrar, Co-operative Society, Chhattisgarh, Raipur, Distt Raipur (CG)

3] District Registrar Co-operative Society, Ambikapur, District Surguja (CG)

4] Ravindranath Painkara, Senior Co-operative Inspector, In the office of Assistant Registrar, Co-operative Society, Jashpur, District Jashpur (CG)

RECEIVED-COPY
Date 5/7/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(36)

आदेश पत्रक

मामला क्रमांक W.P. No. 3394/06 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

12.07.2006.

Mr. Manoj Paranjpe, counsel for the petitioner.

Mr. Satish Gupta, Dy. G.A. for the State/respondents 1, 2 and 3.on advance copy.

Heard.

By this writ petition under Articles 226/227 of the Constitution of India, the petitioner has questioned the legality and propriety of the order dated 30.06.2006, whereby he has been transferred from Ambikapur to Jashpur District.

The case of the petitioner is that he is working as a Senior Cooperative Inspector at Ambikapur. Initially, he was appointed on 13.06.1994 as Cooperative Extension Officer at Udaipur from where he was promoted vide order dated 05.07.2005 and posted at Ambikapur vide Annexture-P/1. Learned counsel for the petitioner submits that the petitioner has been transferred just to accommodate respondent No.4 vide Annexure-P/7, because, the transfer of respondent No.4 has been made on his own request. It has also been mentioned in the petition that the transfer of the petitioner is *mala fide* and colourable exercise of powers. Learned counsel submits that there are so many Senior Cooperative Inspectors who are working at Ambikapur for last so many years and they have not been transferred. Whereas the petitioner has been transferred within a short span of time and he has not completed even one year at Ambikapur and out of ten transfers eight have been made on their own request, whereas the petitioner and another person has been transferred on administrative exigency. Therefore, the transfer of the petitioner

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

(37)

मामला क्रमांक W.P.No. 3394/06 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

cannot be said to be administrative exigency. Lastly, learned counsel submits that the facts mentioned in the petitioner highlights the injustice caused to the petitioner, as such, the petitioner may be allowed to make a representation to respondent No.1 to which counsel for respondents 1, 2 and 3 has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on merits of the case, the limited prayer laid by the learned counsel for the petitioners appears to be just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation to the respondent No.1 annexing a copy of the instant writ petition within a period of ten days from today and in turn, the respondent No.1 shall decide the representation of the petitioner within a period of thirty days from the date of its receipt, in an objective manner, considering and examining the points raised by the petitioners, on its own merit and pass appropriate order, in accordance with law.

With the direction aforesaid, the writ petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Brajesh

(पीछे देखिये)

17.7.06